

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Page 1 of 2  
Docket No. NEX87/PCT-US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the sole, original and first inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HIGH AFFINITY TGFB NUCLEIC ACID LIGANDS AND INHIBITORS**, the specification of which:

is attached hereto.  
 was filed on **JULY 26, 2000** as United States Application Serial No. \_\_\_\_\_ or PCT International Application Number **PCT/US00/20397** and was amended on January 11, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Number: \_\_\_\_\_ Country: \_\_\_\_\_ Date Filed: (day/mo/yr) \_\_\_\_\_ Priority not claimed   
 I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number: \_\_\_\_\_ Filing Date: (mo/day/yr) \_\_\_\_\_

I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Number: \_\_\_\_\_ Filing Date: (mo/day/yr) \_\_\_\_\_ Status - patented, pending, abandoned \_\_\_\_\_  
09/363,939 07/29/1999 Pending

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Barry J. Swanson, #33,215 Rosemary Kellogg, #39,726 James L. Brown, #48,576  
Thomas D. Bratschun, #32,966 Darla G. Yoerg, #48,053 Steven N. Hird, #P-51,112  
Margaret M. Wall, #33,462 Dan Shifrin #34,473 Diane Cruz, #33,960  
Max D. Hensley, #27,043 Mark Bosse, #35,071

**CUSTOMER NO: 25,871**

Address all telephone calls to:  
Address all correspondence to:

Barry J. Swanson at telephone number 303-268-0066  
Barry J. Swanson  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): **NIKOS PAGRATIS**

Inventor's signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_

Date: \_\_\_\_\_  
Citizenship: US

Additional inventors are being named on separately numbered sheets attached hereto

Full name of second joint inventor (given name, family name): MICHAEL LOCHRIE

Full name of third joint inventor (given name, family name): **LARRY GOLD**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: Boulder, Colorado Citizenship: US  
Post Office Address: 1033 5th Street  
Boulder, Colorado 80302

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# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

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Margaret M. Wall, #33,462  
Max D. Hensley, #27,043  
**CUSTOMER NO: 25,871**

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Darla G. Yoerg, #48,053  
Dan Shifrin #34,473  
Mark Bosse, #35,071

Barry J. Swanson at telephone number 303-268-0066  
Barry J. Swanson  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129

James L. Brown, #48,576  
Steven N. Hird, #P-51,112  
Diane Cruz, #33,960

11

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): NIKOS PAGRATIS

1-00

Inventor's signature: Nikos Pagratis  
Residence: Boulder, Colorado  
Post Office Address: 5813 North Orchard Creek Circle  
Boulder, Colorado 80301 CO

Date: 1/20/02  
Citizenship: US

Additional inventors are being named on separately numbered sheets attached hereto

Full name of second joint inventor (given name, family name): MICHAEL LOCHRIE

*2-10* Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: Hayward, California *CA* Citizenship: US  
Post Office Address: 3374 Creekview Court  
Hayward, California 94541-3581

Full name of third joint inventor (given name, family name): LARRY GOLD

*3-10* Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: Boulder, Colorado *CO* Citizenship: US  
Post Office Address: 1033 5th Street  
Boulder, Colorado 80302

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2010 RELEASE UNDER E.O. 14176

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<input type="checkbox"/> Barry J. Swanson, #33,215	<input type="checkbox"/> Rosemary Kellogg, #39,726	<input type="checkbox"/> James L. Brown, #48,576
<input type="checkbox"/> Thomas D. Bratschun, #32,966	<input type="checkbox"/> Darla G. Yoerg, #48,053	<input type="checkbox"/> Steven N. Hird, #P-51,112
<input type="checkbox"/> Margaret M. Wall, #33,462	<input type="checkbox"/> Dan Shifrin #34,473	<input type="checkbox"/> Diane Cruz, #33,960
<input type="checkbox"/> Max D. Hensley, #27,043	<input type="checkbox"/> Mark Bosse, #35,071	
<b>CUSTOMER NO: 25,871</b>		
Address all telephone calls to:	Barry J. Swanson at telephone number 303-268-0066	
Address all correspondence to:	Barry J. Swanson Swanson & Bratschun, L.L.C. 1745 Shea Center Drive, Suite 330 Highlands Ranch, Colorado 80129	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

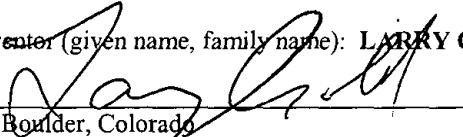
Full name of sole or first inventor (given name, family name): **NIKOS PAGRATIS**

Inventor's signature: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_

Date: \_\_\_\_\_  
Citizenship: US

Additional inventors are being named on separately numbered sheets attached hereto

Full name of second joint inventor (given name, family name): **MICHAEL LOCHRIE**

Inventor's signature:   
Residence: Hayward, California  
Post Office Address: 3374 Creekview Court  
Hayward, California 94541-3581

Date: \_\_\_\_\_  
Citizenship: US

Full name of third joint inventor (given name, family name): **LARRY GOLD**

Inventor's signature:   
Residence: Boulder, Colorado  
Post Office Address: 1033 5th Street  
Boulder, Colorado 80302

Date: 1/24/02  
Citizenship: US

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2007-01-24 09:00:00

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

NIKOS PAGRATIS; MICHAEL LOCHRIE;  
LARRY GOLD

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

01/22/02; 01/26/02; 01/24/02  
Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: GILEAD SCIENCES, INC. \_\_\_\_\_

Internal Address: 333 Lakeside Drive  
Foster City, California 94404

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

10/030,787

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Barry J. Swanson  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129

6. Total number of applications and patents involved:  1

7. Total fee (37 CFR 3.41).....\$

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

22-0277

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Rosemary Kellogg

Name of Person Signing

*Rosemary Kellogg*  
Signature

*January 31, 2002*  
Date

Total number of pages including cover sheet, attachments, and documents:  8

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

## ASSIGNMENT

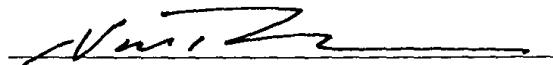
WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled **High Affinity TGF $\beta$  Nucleic Acid Ligands and Inhibitors** for which an application for United States Letters Patent was filed on July 26, 2000, as PCT **International Application No. PCT/US00/20397**, and

WHEREAS, **GILEAD SCIENCES, INC.**, a Delaware corporation ("Assignee") having a place of business at **333 Lakeside Drive, Foster City, California 94404** desires to acquire all right, title and interest in and to the above identified invention and application;

NOW, THEREFORE, Assignor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, assign, convey and transfer unto Assignee all right, title and interest in and to the above identified invention and application, together with all corresponding foreign applications and patents which may be filed thereon, including the right to claim priority from the above identified United States application; and Assignor hereby agrees that Assignor will sign all lawful papers, including, without limitation, all divisional, continuation, renewal, extension and reissue applications, and make all rightful oaths in execution thereof, and will generally do everything possible to aid Assignee, its successors, assigns and nominees to obtain and enforce proper protection for the invention in all countries, this obligation to be binding upon Assignor (each and severally, if more than one) and upon Assignor's personal representative or other legal successor.

IN TESTIMONY WHEREOF, the undersigned Assignor (and each of them, if more than one) has signed below.

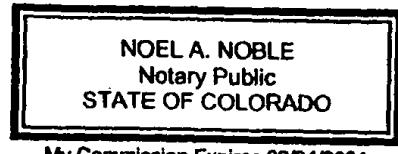
Date: 1-22-02  
Address: \_\_\_\_\_  
STATE OF Colorado ) ss.  
COUNTY OF Jefferson )

  
Nikos Pagratis  
5813 North Orchard Creek Circle  
Boulder, Colorado 80301

The foregoing instrument was acknowledged before me this 22 day of Jan, 2002, by Nikos Pagratis.

Witness my hand and official seal.  
My commission expires: 2/4/2004

  
Noel A. Noble  
Notary Public



Date: \_\_\_\_\_

Address:

**Michael Lochrie**  
3374 Creekview Court  
Hayward, California 94541-3581

STATE OF \_\_\_\_\_ )  
 ) ss.

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, by **Michael Lochrie**.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

**Notary Public**

Date: \_\_\_\_\_

### Address:

---

**Larry Gold**  
1033 5th Street  
Boulder, Colorado 80302

STATE OF \_\_\_\_\_ )  
 ) ss.

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this    day of                   , 2002, by **Larry Gold**.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

---

**Notary Public**

Date: \_\_\_\_\_

---

## Michael Lochrie

Address:

**Michael Lochrie**  
3374 Creekview Court  
Hayward, California 94541-3581

STATE OF \_\_\_\_\_ )  
 ) ss.

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, by **Michael Lochrie**.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

Date: 1/24/02

**Address:**

**Larry Gold**  
1033 5th Street  
Boulder, Colorado 80302

STATE OF Colorado)  
COUNTY OF Boulder) ss.

The foregoing instrument was acknowledged

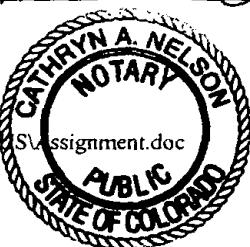
Witness my hand and official seal

Witness my hand and official seal.  
My commission expires: 4/3/02

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**Notary Public**

Cathryn A. Nelson  
Notary Public



## ASSIGNMENT

WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled **High Affinity TGF $\beta$  Nucleic Acid Ligands and Inhibitors** for which an application for United States Letters Patent was filed on July 26, 2000, as **PCT International Application No. PCT/US00/20397**, and

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IN TESTIMONY WHEREOF, the undersigned Assignor (and each of them, if more than one) has signed below.

Date: \_\_\_\_\_

**Nikos Pagratis**

Address: 5813 North Orchard Creek Circle  
Boulder, Colorado 80301

STATE OF \_\_\_\_\_ )

) ss.

COUNTY OF \_\_\_\_\_ )

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Notary Public

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Date: \_\_\_\_\_

**Nikos Pagratis**  
5813 North Orchard Creek Circle  
Boulder, Colorado 80301

STATE OF \_\_\_\_\_ )  
 ) ss.

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, by **Nikos Pagratis**.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Date:

1/26/2002

Address:

Michael A. Fochrie

**Michael Lochrie**  
3374 Creekview Court  
Hayward, California 94541-3581

STATE OF \_\_\_\_\_ )  
 ) ss.

COUNTY OF \_\_\_\_\_ )

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Witness my hand and official seal.

My commission expires: \_\_\_\_\_

**Notary Public**

Date: \_\_\_\_\_

### Address:

**Larry Gold**  
1033 5th Street  
Boulder, Colorado 80302

STATE OF \_\_\_\_\_ )  
 ) ss.

COUNTY OF \_\_\_\_\_)

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Witness my hand and official seal.

My commission expires: \_\_\_\_\_

**Notary Public**

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

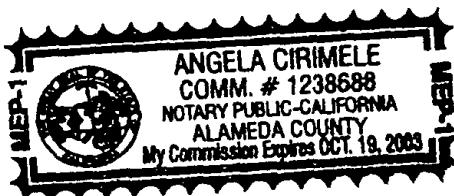
STATE OF CALIFORNIA

COUNTY OF Alameda

} SS.

On January 26, 2002 before me, the undersigned, a Notary Public in and for said State personally appeared Michael Lochrie  
Name(s) of Signer(s)

Personally known to me OR  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

Angela Cirimelle

Signature of Notary

(Area above for official notarial seal)

Angela Cirimelle

Name (Typed or Printed)

## Capacity Claimed by Signer

Individual(s)  
 Corporate Officer(s) - Title(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
 Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Guardian/Conservator  
 Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Description of Attached Document

(Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)

This certificate is for attachment to the document described below:

Title or type of document \_\_\_\_\_

Assignment

Number of pages two

Date of document not dated

Signer(s) other than named above \_\_\_\_\_

MA

Signer is Representing: Name of person(s) or Entity(ies) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_